

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Public Hearing: April 19, 2005

**CONTACT PERSON/PHONE:** Fred Lopez, 541-4925

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

Resolution approving Detailed Site Development Plan No. ZON05-00016, for a portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas pursuant to a special contract imposed by Ordinance No. 9394. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: K. Trinity Investments, LLC. **(District 8)**

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**JOE WARDY**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER



***CITY COUNCIL***

**SUSAN AUSTIN**  
DISTRICT NO. 1

**ROBERT A. CUSHING, JR.**  
DISTRICT NO. 2

**JOSE ALEXANDRO LOZANO**  
DISTRICT NO. 3

**JOHN F. COOK**  
DISTRICT NO. 4

**PRESI ORTEGA**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**VIVIAN ROJAS**  
DISTRICT NO. 7

**ANTHONY W. COBOS**  
DISTRICT NO. 8

**GEORGE G. SARMIENTO, AICP**  
DIRECTOR

**PLANNING, RESEARCH &  
DEVELOPMENT DEPARTMENT**

April 04, 2005

**TO:** The Honorable Mayor and City Council  
Ms. Joyce A. Wilson

**FROM:** Fred Lopez, Planner II / Zoning Coordinator

**SUBJECT:** ZON05-00016

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The City Plan Commission (CPC), on March 24 2005, voted **7 - 0** to recommend **APPROVAL** of this request for detailed site development plan review, concurring with Staff's recommendation.

The CPC found that this detailed site development plan is in conformance with The Plan for El Paso. The CPC also determined that this detailed site development plan satisfies the City's minimum requirements necessary to protect the public health, safety, and general welfare of the community; and that the proposed development complies with all ordained development standards of the C-1/sc (Commercial/special contract) zoning district.

There was **NO OPPOSITION** to this request at the CPC Hearing.

## ***STAFF REPORT***

***Detailed Site Plan:*** ZON05-00016

***Property Owner(s):*** K Trinity Investments, LLC

***Applicant(s):*** K Trinity Investments, LLC

***Representative(s):*** Conde, Inc.

***Legal Description:*** A portion of Lot 1, Block 1, Mesa Hills West

***Location:*** Mesa Hills Drive West of Mesa Street

***Representative District:*** # 8

***Area:*** 1.85 Acres

***Present Zoning:*** C-1/sc (Commercial/special contract)

***Present Use:*** Vacant

***Proposed Use:*** Retail commercial development

***Surrounding Land Uses:***

<b><i>North -</i></b>	R-3 (Residential) / vacant
<b><i>South -</i></b>	A-2/sc (Apartment/special contract) / vacant
<b><i>East -</i></b>	R-3 (Residential) / school
<b><i>West-</i></b>	R-3 (Residential) / single-family residential development

***Year 2025 Designation:*** Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, April 07, 2005,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

## **Detailed Site Development Plan: ZON05-00016**

### **General Information:**

The site plan was submitted in order to permit retail commercial development. The property is 1.85 acres in size and is currently zoned C-1/sc (Commercial/special contract). The proposed site plan shows one (1) 7,000 sq. ft. building and one (1) 9,100 sq. ft. building to be located on the site. Access is proposed via Mesa Hills Drive with eighty-one (81) parking spaces provided. The site plan also shows 10,797 sq. ft. of landscaping. There are zoning conditions currently imposed on this property which are attached to this report as Enclosure 1.

### **Information to the Commission:**

- A. The Planning Department has received no calls or letters in support or opposition to this application.
- B. Site plan review is required because a special contract that exists on the subject property.

### **Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for detailed site development plan review.

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide a pattern of commercial and office development which best serves the community needs and which complements and serves all other land uses.”

**The Year 2025 Projected General Land Use Map** for the **Northwest** Planning Area designates this property for **Residential** land uses.

**C-1/sc (Commercial/special contract) zoning** permits retail commercial development.

The Commission must determine the following:

- A. Does the detailed site development plan satisfy the city's minimum requirements necessary to protect the public health, safety, and general welfare of the community?
- B. Does the proposed development comply with all ordained development standards of the C-1/sc (Commercial/special contract) zoning district?

### **Information To The Applicant:**

Building Permits and Inspections Department, Zoning Division Notes:

No zoning comments.

Engineering, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

Detailed site development plan request does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

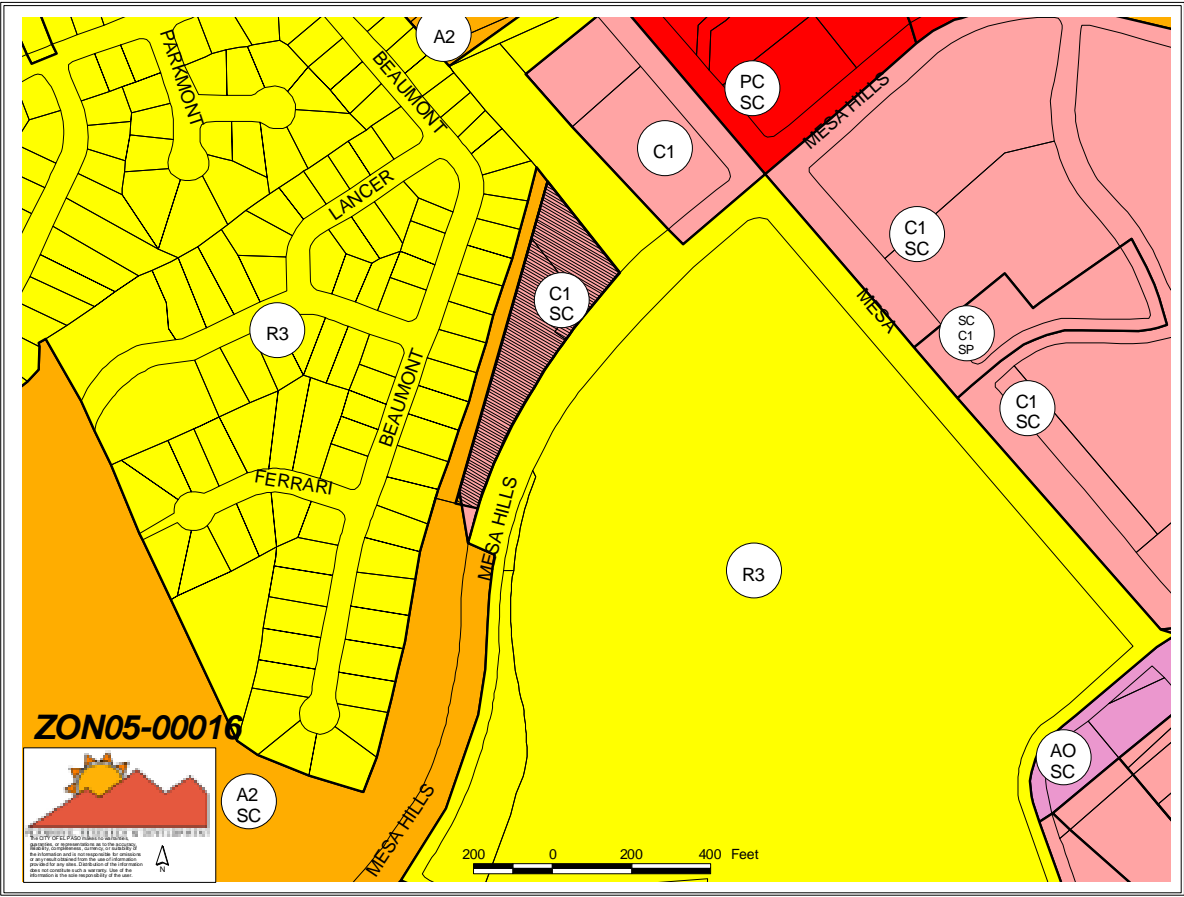
Planning, Research and Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property for Residential land uses.
- B. C-1/sc (Commercial/special contract) zoning permits retail commercial development.

**ATTACHMENT:** Site Plan; Enclosure 1.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEPARTMENT OF PLANNING AT (915) 541-4056.

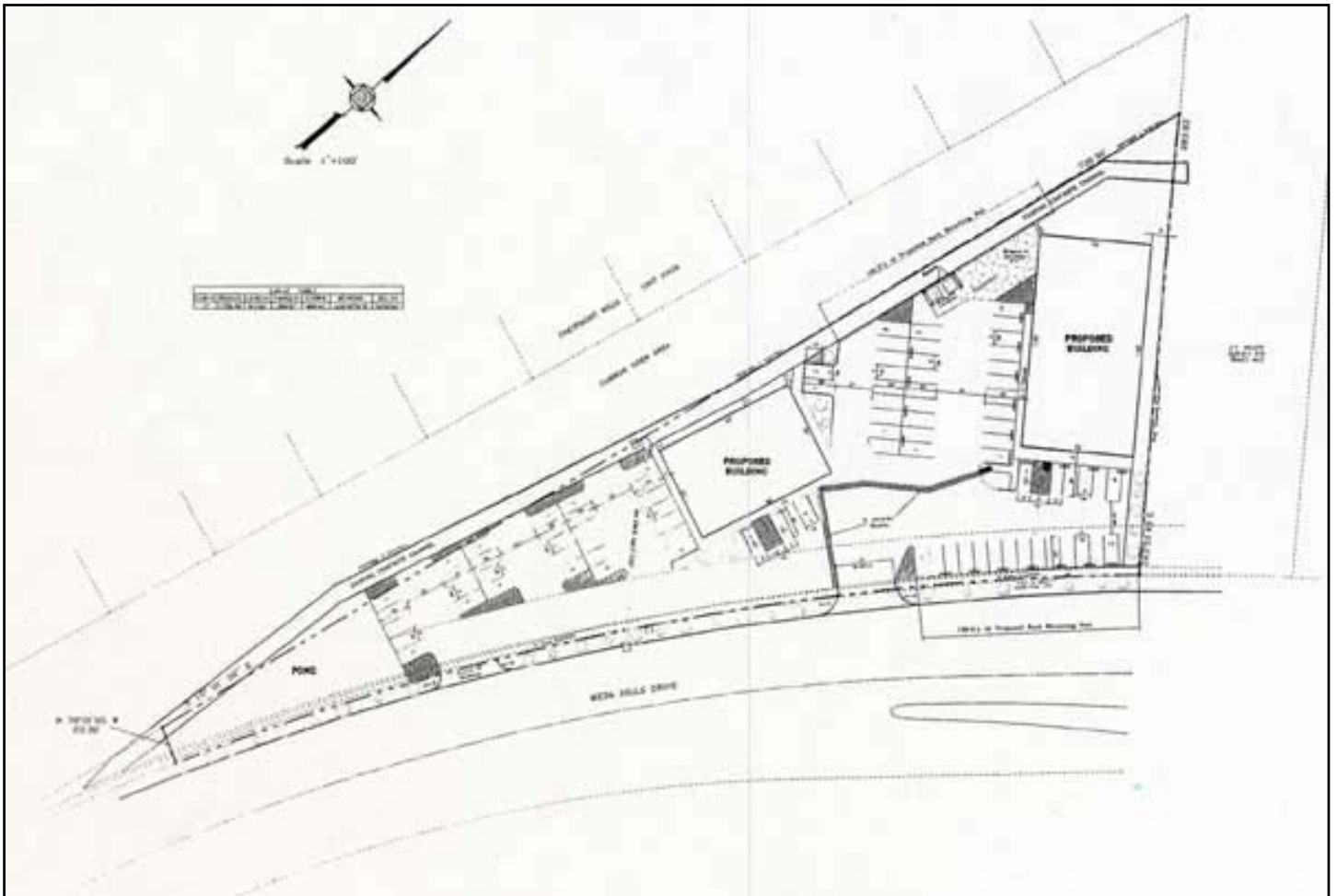
**LOCATION MAP**



## AERIAL MAP



## DETAILED SITE DEVELOPMENT PLAN





## RESOLUTION

**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. ZON05-00016, FOR A PORTION OF LOT 1, BLOCK 1, MESA HILLS WEST, EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO A SPECIAL CONTRACT IMPOSED BY ORDINANCE NO. 9394. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**WHEREAS, K Trinity Investments, LLC** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a special contract imposed by Ordinance No. 9394, to permit the construction of retail commercial development; and

**WHEREAS,** a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS,** the City Plan Commission has recommended approval of the subject detailed site development plan; and

**WHEREAS,** the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. Pursuant to requirements imposed by a special contract as outlined in Ordinance No. 9394, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction of retail commercial development on the following described property which is located in a **C-1/sc (Commercial/special contract) District**:

*A portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A".*

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-1/sc (Commercial/special contract) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-1/sc (Commercial/special contract) District**. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

**THE CITY OF EL PASO**

\_\_\_\_\_  
Joe Wardy, Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Matt Watson, Assistant City Attorney  
Doc No. 10944

(development agreement on following page)

## DEVELOPMENT AGREEMENT

By execution hereof, **K Trinity Investments, LLC**, the Applicant, identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree to develop the property legally described as *a portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", in accordance with the approved detailed site development plan attached hereto as Exhibit "B" and incorporated herein by reference and in accordance with the standards applicable to the **C-1/sc (Commercial/special contract) District** located within the City of El Paso.

EXECUTED this 7 day of April, 2005.

Luke Karam  
Name

Managing Partner  
Title

**K Trinity Investments, LLC**

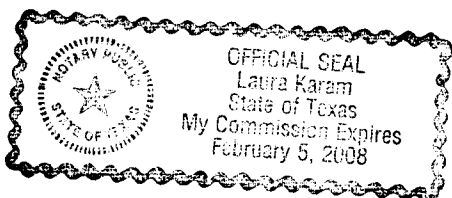
## ACKNOWLEDGMENT

THE STATE OF TEXAS )

COUNTY OF EL PASO )

This instrument is acknowledged before me on this 7 day of April, 2005, by Luke Karam, for **K Trinity Investments, LLC**, as Applicant.

My Commission Expires:



Laura Karam  
Notary Public, State of Texas

Notary's Printed or Typed Name:

Laura Karam

Being a portion of Lot 1, Block 1,  
Mesa Hills West  
City of El Paso, El Paso County, Texas  
Prepared for: Schatzman Construction  
March 29, 2005

## Exhibit "A"

### METES AND BOUNDS DESCRIPTION

Being a portion of Lot 1, Block 1, Mesa Hills West, an Addition to the City of El Paso, El Paso County, Texas according to the Map thereof on file in Book 61, Page 29, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing City Monument at the centerline station 19+81.53 of Mesa Hills Drive, Thence North  $89^{\circ}23'39''$  West a distance of 47.61 feet to a point on the westerly right of way line of Mesa Hills Drive for the TRUE POINT OF BEGINNING;

Thence North  $70^{\circ}21'05''$  West a distance of 23.30 feet to a point on the common line of Lot 1 and the common open area;

Thence along said line North  $10^{\circ}01'02''$  East a distance of 736.92 feet to a point on the common line of Mesa Hills West and Tract 4K1, A.F. Miller Survey No. 215;

Thence along said line South  $43^{\circ}53'42''$  East a distance of 283.93 feet to a point on the westerly right of way line of Mesa Hills Drive;

Thence 612.82 feet along the arc of a curve to the left whose radius is 1726.78 feet whose interior angle is  $20^{\circ}20'02''$  whose chord bears South  $29^{\circ}48'55''$  West a distance of 609.61 feet to the "TRUE POINT OF BEGINNING" and containing 1.85 Acres of land more or less.

NOTE: Not a ground survey, description prepared from record deed recorded in volume 3644, page 419, Real Property Records of El Paso County, Texas.

R. R. Conde  
Ron R. Conde  
R.P.L.S. No. 5152



Job# 1204-63 R.C.

CONDE, INC.  
ENGINEERING / LAND SURVEYING / PLANNING  
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79935 / (915) 592-0283